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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

### GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

#### ORDER

Whereas the Association «Margão Cricket Club» proposed the revision of its Rules and Regulation approved by Order (Portaria) No. 6042, dated 6th May 1954.

Now therefore, in exercise of the powers conferred upon me by Section 2 of the Goa, Daman and Diu (Administration) Removal of Difficulties Order 1962, I hereby accord sanction for the revised Rules of the «Margão Cricket Club» which have thirty six numbers and are signed by the Director of Civil Administration Services.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. C. Sharma  
Chief Secretary

Panjim, 9th February, 1965.

#### Revised Constitution

##### Title

Article 1. The name of the Association shall be the «Margão Cricket Club» hereinafter referred to as the «Club».

Article 2. The registered office of the «Club» shall be situated at Margão.

##### Objects

Article 3. The objects and purpose for which the «Club» is constituted are:

- To encourage and promote practice of all type of educational, social and recreative activities.
- To promote personal and friendly relations among the members of the «Club»;
- To promote recitals, concerts, conferences, balls or shows of any and formal meetings;
- To promote and start a reading library;

e) To help its members to defend their moral, economic and social interests;

f) To finance or assist in financing visits of Club teams to other neighbouring states and elsewhere and to invite «teams» from other states in India elsewhere;

g) To organize, promote and to afford facilities within any premises of the «Club» and to use any such premises for any form of game, athletics, sports, recreation, sporting event, entertainment, exhibition or display, and for holding meetings for any such form of games, athletics, sports, recreation, sporting event, entertainment, exhibition or display;

h) To promote and hold either alone or jointly with any other Association, Club or Person cricket matches and competitions, and matches and competitions in any other form of game, athletics, or sports and all kinds of sporting events, entertainments, exhibitions and displays, to give or contribute towards awards and distinctions and to promote, give or support dinners, balls, concerts and other entertainments;

i) To purchase, take on lease, or hire or otherwise acquire any movable or immovable property or any rights or privileges necessary or convenient for the purpose of «Club»;

j) To construct or alter or keep in repair any buildings required for the «Club» and to pull down and demolish any building not so required;

k) To employ secretaries, clerks, manager, servants and workmen, and to pay them and other persons salaries and wages in return for services rendered to the «Club»;

l) To invest and deal with the moneys of the «Club» not immediately required in such manner as may from time to time be determined;

m) To sell, improve, manage, develop, lease, mortgage dispose of or otherwise deal with, all or any part of the property of the «Club», whether moveable or immovable and to borrow or to raise, money which may be required for the purpose of the «Club»;

n) To raise money by subscription and to grant any rights and privileges to subscribers;

o) To prohibit particular games on the Club premises entirely or at any particular time, and regulate the rules to be observed and stakes to be played for by members or guests playing any games on the Club premises;

p) To buy, make, repair, sell, supply and deal in all kinds of apparatus and appliances and all kinds of provisions, liquid and solid required by persons frequenting the Club building or the Cricket grounds or other premises of the Club;

q) To do all such other things as are incidental or conducive to the attainment of the above objects or any of them.

#### Membership

Article 4. a) All persons above the age of 18 years with good character and social background shall be eligible to become the members of the «Club»;

b) Persons below 18 years are also made eligible to be members of the «Club», provided they are authorised in writing by their parents or guardians.

Article 5. The «Club» shall consist of: i) Patron-in-Chief, ii) Hon. Patrons, iii) Patrons, iv) Life Members, v) Ordinary Members, vi) Temporary Members and vii) Hon. Members.

##### a) Patron-in-Chief:

Such persons as the Executive Committee may invite shall, on acceptance of the invitation, become the Patron-in-Chief of the «Club» without payment of any subscription or fees.

##### b) Honorary Patrons:

Such persons as the Executive Committee may invite shall, on acceptance of the invitation, become Honorary Patrons of the «Club» without payment of any subscription or fees.

##### c) Patrons:

Those who donate a sum of Rs. 5000/- or more at a time. Patrons shall not be required to pay any entrance fee or subscription whatsoever.

##### d) Life Members:

Those who contribute Rs. 1,500/- at a time. Life Members shall not be required to pay any entrance fee or monthly subscription whatsoever.

Para One. Any members of the Club enrolled prior to 31st day of October, 1964, shall be entitled to apply for the life membership within 1 year from the above date on a payment of Rs. 1,500/- in one or maximum 15 equal yearly instalments.

Para Two. Those founder members, whose membership is in force on 31-10-64, shall continue as «Founder Members», but will enjoy all the privileges of Life Member. The fees payable by their class of member is Rs. 50/- per year, for 25 years only. No new found-members will be enrolled as from 1st November, 1964.

##### e) Ordinary Members:

Those who pay a monthly subscription of Rs. 5/- and an entrance fee of Rs. 50/-. The Ordinary Members besides this monthly subscription of Rs. 5/- shall also be required to pay for the expensive games as may be decided by the Executive Committee from time to time.

##### f) Temporary Members:

The Executive Committee may admit Temporary Members for such period or periods and on such terms and conditions as the Executive Committee may from time to time, determine.

##### g) Honorary Members:

The Executive Committee may admit from time to time persons as Honorary Members who have ren-

dered high services to the Club and deserves distinction from the General Assembly of the Club.

Para unique. The present Members of the Club shall automatically be taken up on the role of the new membership according to their classification but at the old rate of subscription.

#### Admission of Members

Article 6. The proposal for membership shall be in writing in the prescribed form duly signed by the applicant and by any two members not being Temporary or Honorary Members of the Club.

Para One. The approval of the membership form shall vest in the Executive Committee which shall consider the application at its first meeting.

Para Two. A person whose application for membership has once been rejected shall not be eligible to apply again within 6 months from the date of his first application.

#### Expulsion of Member and Penalties

Article 7. A member may be expelled if he, in the opinion of two thirds of the Members called for the purpose by the Executive Committee, be considered guilty of dishonourable, improper or unprofessional conduct.

a) A member who, without justifiable reason, does not pay his three consecutive membership fees, within 30 days from the date of this fact being brought to the knowledge of the interested party by the Executive Committee, shall forfeit the right to the respective privileges.

The executive committee may, in their discretion, reinstate such member if payment is made subsequently.

b) A member shall cease to be a member of the Club:

i) When he causes discredit to the Club within or outside the headquarters.

ii) When he suffers from contagious diseases.

iii) If the Member is adjudged an insolvent.

iv) When a member puts in his resignation and pays all debts due by him to the «Club».

v) When a member being a minor has been admitted as a member of the Club on the written authority of his parents or guardian and if the parents or guardian happens to die during the minority of the member and does not show any other fit person as surety within 30 days from the date of happening the event.

vi) On expulsion from the «Club» under rule 7 hereof.

Para One. The decision of the Executive Committee shall be final except in clause b(i) above.

Para Two. Persons ceasing to be Members of the Club under Article 7 (b) shall forfeit all rights to and claim upon the Club and its property and funds.

#### Rights and Duties of the Members

Article 8. a) The Members shall have the right:

i) To visit the main building (head-quarters).

ii) To take part in the games, competitions and other shows organised by the Club.

iii) To be present for the meetings of the General Assembly and take part in the discussions and voting.

iv) To elect and be elected on the Governing Bodies.

v) To examine the annual statement of accounts and to approve in the meeting of the General Assembly the annual report of the Secretary and audited statement of accounts.

Para unique. The rights referred to in Clauses (iii), (iv) and (v) above shall be available to Patrons, Life Members and Ordinary Members only.

Article 9. Right of the Membership is intransmissible.

Article 10. The duties of the Members shall be:

i) To pay regularly in time their fee of membership.

ii) To observe strictly the clause of the present rules and bye-laws framed by the Executive Committee from time to time.

iii) To give honour to the Club in all circumstances and contribute by all means within their possibilities for the prosperity and prestige of the «Club».

iv) To hold the posts for which they are elected except when they are disabled from doing so by justifiable cause.

#### General Assembly and annual General Meeting

Article 11. a) The General Assembly shall be composed of all Patrons, Life Members and Ordinary Members and shall meet every year for discussion and approval of the report and statement of accounts submitted by the Executive Committee of the Club. The ruling body of the General Assembly shall be composed of a President and two Secretaries elected for a period of 2 years. Voting by proxy shall be allowed in the meeting.

Article 12. a) Fifteen days clear notice indicating the locality, time and agenda of General Meetings shall be given to Patrons, Life Members and Ordinary Members of the Club. Similarly a copy of the notice will be affixed on the Notice Board of the Club.

b) The accidental omission, to give any such notice to any of the Members or the non-receipt thereof, shall not invalidate any resolution passed at any such meeting.

Article 13. a) The annual General Meeting shall be held on first fortnight of the month of August every year. The business of an annual General meeting shall be:

i) To receive and consider the Annual Report and audited accounts of the Club.

ii) To appoint Auditor or Auditors and fix their remuneration.

iii) To transact any other business that may be duly brought forward.

b) The general meeting shall be held every two years in the first fortnight of the month of June for the election of the Executive Committee.

Article 14. a) The General Assembly shall have extraordinary meetings when the President thinks it necessary, or when the Executive asks for it, or within 30 days after the receipt of a requisition signed by 25 members having voting rights call for it, indicating persons for the same.

#### Quorum

b) At all General Meetings 25 members shall form a quorum. If within 30 minutes from the time of the meeting the quorum is not present the meeting shall take place on the day fixed by the members who are present for the meeting.

#### Voting

Article 15. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands, or by ballot as per the importance of the matter to be dealt with which will be decided by the President of the General Assembly.

Para One. In case of an equality of votes the Chairman of the meeting shall, both on a show of hands and at a poll (if any) have a casting vote in addition to the vote to which he is entitled as a Member.

Para two. The Member when duly notified of the subjects or agenda can, if he is unable to attend the meeting, forward to the Secretary before the time of the meeting his vote in writing.

Para three. On any issue touching the investment of finances of funds of the Club is concerned the Patron shall have the right for 10 votes as against three votes of a Life Member and one vote of an Ordinary Member.

Article 16. The election of the Executive Committee shall be by ballot by a majority of votes.

#### Executive Committee

Article 17. The Club shall be governed by an Executive Committee consisting of President, Secretary, Treasurer and 6 other members duly elected by ballot once in two years at the General Meeting.

Article 18. Auditors will be appointed for the purpose of the Account.

Article 19. a) The Members of the Executive Committee shall hold office until their successors are elected. The Executive Committee shall have power to fill casual vacancies by co-option.

b) The President, the Secretary, the Treasurer and 3 members of the Executive Committee should necessarily be elected from among the Patrons and Life Members only and remain three members of the executive committee can be elected from either Patrons, Life Members or Ordinary Members.

Article 20. A meeting of the executive committee shall be held at least once every month.

Article 21. a) The quorum for Executive Committee meeting shall be composed of five members, the President or his Deputy and four others. Any member remaining absent without leave for three consecutive meetings shall automatically cease to be a member of the Executive Committee.

b) The Executive Committee shall have powers to form sub-committees consisting of their own members and/or other to deal with such matters as may be delegated to them.

c) The Executive Committee shall have powers to regulate their own procedure, to make provisions for carrying out the objects of the Club and for conducting its affairs and shall, subject to the provisions of this constitution have the sole control and management of the income, property and affairs of the Club.

d) To keep a Register book to register all the resolutions taken in General Meetings and by the Executive Committee.

e) The members of the Executive Committee are jointly responsible for their acts as also for the property of the Club.

f) The Executive Committee shall keep open the books of accounts and the balance-sheet for inspection by the Members of the Club at least 8 days prior to the date of Annual General Meeting.

Article 22. Deleted.

Article 23. a) The following shall constitute the income of the Club:

i) Membership fees, income from feasts, recitals and other activities.

ii) Grants, donations and legacies and any other source of income.

iii) The Club can accept or purchase land for its activities.

b) The following shall constitute the expense of the Club:

i) Salaries;

ii) Stationery and other expenses;

iii) Purchase of papers, news magazines, books and any other articles for sports;

iv) Water, light, cleaning and repairs of the building, etc.;

v) Travelling expenses of sportsmen or of the representative of the Club when they have to represent the Club outside the headquarters and all other expenses made for the benefit of the Club.

Article 24. a) The income referred to in the previous articles shall be deposited in a Bank/Banks and its accounts be operated either by Secretary or Treasurer and the President of the Club.

b) The fund referred in article 21 shall be earmarked as follows:

The amount obtained by entrance fees, contribution of benefactor and auxiliary members donations or by legacies, subsidies and also amounts collected by promoting sporting festivals, concerts and other diversions shall be capitalized using only to acquire articles of permanent nature, for permanent use of the club. The fund acquired by monthly or annual quotas and also the income accrued from fees relating expensive games shall be destined for the ordinary expense of the Club.

Article 25. a) The flag of the Club shall be of two colours, red and tarnished yellow having at the centre a picture or emblem with the monogram of the M. C. C. i. e. «Margao Cricket Club» placed artistically in attractive colours.

b) The uniform of the Club excepting the Cricket and Tennis «teams» whose uniforms are fully white, the Foot-ball, Hockey and Basket Ball or Volley Ball Teams shall have the uniform of the same colours of the flag, the shirt being yellow with Club badge and shorts of tarnished red colour.

c) The flag shall be hoisted on Sundays and feast days of the Club and always when and where the Club participates. The flag shall also be flown at half mast to mark the death of any member of the Club.

Article 26. The total number of members of the Club shall be decided by the Executive Committee from time to time and their respective fees.

Article 27. The duration of the managing board shall be of 2 years and starts from the 1st day of July and terminated on the 30th June of the following year.

Article 28. No expenses shall be incurred without production of the voucher duly countersigned by the President of the Club.

#### Dissolution

Article 29. The Club may be dissolved only by a Resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the Members present and voting at General Meeting.

Article 30. The funds, property and assets of the club, after payment of all debts and liabilities shall be distributed as may be directed by the Resolution dissolving the Club.

Article 31. In the case of liquidation, the medals, cups and any other trophies shall be given to any institution of a similar kind which has shown more sympathy towards the Club.

Article 32. Deleted.

#### Affiliation

Article 33. The Club may be affiliated with any other similar club of Association established in India on such terms and conditions as the Executive Committee may decide from time to time.

#### Bye-Laws

Article 34. The Executive Committee may make, amend or repeal such bye-laws not inconsistent with the constitution as they may think necessary from time to time.

#### Alteration of Constitution

Article 35. The constitution of the Club shall be altered only by a resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the members present and voting at a General Meeting.

#### Indemnity

Article 36. The Members of the Executive Committee and sub-committee, if any shall be indemnified by the Club from all losses and expense incurred by them in or about the discharge of their respective duties except such as happen from their own respective wilful default and no member of the Executive Committee and sub-committee shall be liable for the action of any other member of the Executive Committee or sub-committee or for joining in act or receipt or for any act conformity or for any loss happening to the Club unless the same shall be due to his own wilful default.

Directorate of Civil Administration Services, Panjim, 9th February, 1965. — The Director, *Sripad Anant Nadkarni*.

#### Law Department

#### Notice

L. D. 12/65

1. The following rules are proposed to be made by the Government of Goa, Daman and Diu under sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927.

2. It is proposed to bring the rules into force on 15th of March, 1965.

3. Any suggestions will be received by the Government for consideration before 20th of March, 1965.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. F. Couto, Development Commissioner.

#### The Goa, Daman and Diu Forest Rules, 1964

In exercise of the powers conferred by sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927



(XVI of 1927), and of all other powers enabling it in this behalf and in supersession of all previous rules made in this behalf, the Government of Goa, Daman and Diu is pleased to make the following rules:—

## CHAPTER I

### Preliminary

1. **Short title and extent.**—These rules shall be called the Goa, Daman and Diu Forest Rules, 1964, and shall apply to the Territory of Goa, Daman and Diu.

2. **Interpretation.**—In these rules, unless there is anything repugnant in the subject or context.

- (a) «Act» means the Indian Forest Act, 1927;
- (b) The expression «Protected animal» means an animal killing of which has been prohibited under these rules;
- (c) «Section» means a section of the Act; and
- (d) all words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

## CHAPTER II

### Protection of reserved forests from fire

«Section 26 1) (b)»

3. **Kindling, etc., of fire on roads or paths adjoining or passing through reserved forests prohibited.**—Except at such places as from time to time be notified locally by the Divisional Forest Officer, no person shall kindle any fire or leave any fire burning upon any public or private road or path which adjoins or passes through a reserved forest but does not form part of such forest.

4. **Precautions to be taken in making ash-manure near a reserved forest.**—No person shall ignite materials for making ash manure in any field within two hundred yards from the boundary of a reserved forest, unless:—

- (i) There is between such boundary and the spot on which such materials are ignited a space at least 25 feet in width which is clear of vegetation capable of carrying fire from such spot to the forest; and
- (ii) such other precautions, such as employing watchers, are taken as are reasonably necessary to prevent fire from spreading to the forest.

5. **Kindling of fire within 200 yards from a reserved forest prohibited.**—Except for the purposes of making ash-manure, no fire shall be kindled elsewhere than in a place used as a human dwelling or in premises appertaining to such dwelling, within a distance of two hundred yards from the boundary of a reserved forest, without the previous written permission of a Forest-officer not lower in rank than a Range Forest Officer.

6. **Precautions to be taken in kindling fire beyond 200 yards from reserved forest.**—No person shall kindle any fire or leave any fire burning, at any place which is at a distance greater than two hundred yards from the boundary of a reserved forest but from which the fire may by natural means spread to the forest, unless he takes precautions, by clearing a fire-path not less than twenty-five feet in width

between such place and such boundary, or by employing watchers or otherwise, to prevent the fire from so spreading.

7. **Partial operation of rules in the rainy season.**—Nothing in the rules in this Chapter shall operate during the period commencing on the 15th June and ending on the 31st October.

## CHAPTER III

### Hunting and shooting, etc., in reserved and protected forests

«Sections 26 (1) (i), 32 (j) and 76 (d)»

#### A. General Rules

8. **Acts prohibited in reserved and protected forests.**—The following acts are prohibited in all reserved and protected forests—

- (a) the poisoning of rivers or other waters, the explosion of dynamite or other explosive therein, and the setting of cruives or basket traps for the purpose of killing or catching fish;
- (b) the setting of spring guns, snares or traps;
- (c) the catching, wounding or killing of—
  - (i) game, other than carnivora, bear or pig, over water salt-licks, or paths leading directly to water or salt-licks;
  - (ii) any bird or animal for which a close-time has been prescribed by the Conservator of Forests Goa, Daman and Diu;
  - (iii) such animals as may from time to time be notified in this behalf by the Conservator of Forests;
- (d) shooting from a motor car except in the case of small game, and wild dogs and pigs; and
- (e) shooting after sunset and before sunrise, except in the case of—
  - (i) small game and wild pigs, and
  - (ii) tigers and panthers, from machans over live or killed ties:

Provided that any of the above acts may be done with the written permission of the Conservator of Forests, or, in the case of snares or traps, of the Divisional Forest Officer.

*Note:* (1) — For the purpose of this rule the word «carnivora» includes tiger, panther, wolf, hyena and wild dog; the words «small game» include all game birds and hare; and «reserved and protected forests» include all roads and tracks within such forests.

9. **Hunting and shooting prohibited in certain areas except under a license.**—No person, shall, except under license granted in this behalf by the Conservator of Forests, hunt or shoot in any reserved or protected forest.

*Explanation.*—The term «hunting» used in this Chapter includes tracking for the purpose of discovering the lie of wild animals.

10. **Power to refuse or cancel a license.**—(1) The Conservator of Forests shall have discretion to grant or refuse a license for hunting and shooting.

(2) The Conservator of Forests may, at any time, cancel any license for a breach of any provision of the Act or these rules, whether committed by the licensee or by any of his retainers or followers; or for any interference with the work of the forest of—

ficers on the part of the licensee or of any of his retainers or followers, which in the opinion of the Conservator is unwarranted; or in the event of fire breaking out in any forest in respect of which the license has been granted.

(3) Forest official may accompany the camp of any licensee.—In any case where the Conservator of Forests or the Divisional Forest Officer thinks it advisable, he may direct that a forest guard or other person or himself shall accompany the camp of any licensee hunting and shooting in a forest, with the object of seeing that these rules are not infringed.

11. License not transferable.—A license granted under rule 9 shall not be transferable.

12. License to be produced on demand for inspection.—Every licensee hunting or shooting in any forest shall, on demand by any Forest or Police Officer, produce his license for inspection.

13. Limitation on putting out ties.—No licensee shall put out ties at a distance of more than 20 miles from his camp or residence.

*Note:* For the purposes of this rule «camp» implies a half of not less than one night.

14. Intimation to be given when animals are wounded but not killed.—When any licensee wounds but fails to kill any animal of the following species, viz. elephant, tiger, panther, bear or bison, he shall forthwith give intimation of such fact in writing to the nearest round forest officer and shall also send within 24 hours from the time the animal is wounded a report in writing to the Divisional Forest Officer. He shall also notify the fact to the inhabitants of the nearest village.

15. License to be returned on expiry of period.—On the expiry of the period of the license, the licensee shall return it to the Conservator of Forests, with an endorsement thereon showing the number and kind, and the horn dimensions in the case of protected animals, or length in the case of carnivora and bear, of all game killed by him.

16. Period and scope of license.—(1) Every licence issued under rule 9 shall permit the holder only to hunt and shoot, and shall be valid for a period of one year from the date of its grant, in any reserved or protected forests of this Union Territory by the Conservator of Forests and to which rules 9 to 20 have been made applicable under rule 8, subject to the condition that before it has effect in any forest division in which the licensee does not reside or exercise any jurisdiction, it must be countersigned by the Divisional Forest Officer.

(2) No licensee shall hunt or shoot more than two males of each species of animals specified in the license. A list of species of such animals shall be prepared for each forest division by the Conservator of Forests.

(3) Wounded game may be pursued into the forests of the division adjoining that for which the license is valid or into a forest closed under rule 18.

17. Fees for licenses.—(1) The fee for a license shall be Rs. 50/- for small game and Rs. 300/- for big game per annum.

(2) Gazetted forest officers travelling on duty are exempted from the payment of fees for licenses.

#### 18. Closing of forests to hunting and shooting.—

(1) The Conservator of Forests may, on the recommendation of the Divisional Forest Officer declare that any particular forest or part of the forest is wholly closed for a term of years or annually for specified period.

(2) The Conservator of Forests may also prohibit the taking, wounding or killing of any particular species of animals in any specified tract of forests, with a view to the preservation of such species.

(3) A license granted under these rules shall not be valid—

- (a) in any forest or part of the forest which has been closed under sub-rule (1) during the period it is closed, and
- (b) in the tract of forest specified in an order made under sub-rule (2) in respect of the species of animals specified in such order:

Provided that gazetted officers whose jurisdiction extends to such forests, or persons holding licenses on which the Divisional Forest Officer has endorsed special permission to that effect, may kill pig, tigers and other dangerous or destructive animals in such forests. Such special permission shall not be given for a longer period than one month in any case.

19. Employment of Shikaris.—A licensee may employ any number of trackers. The Divisional Forest Officer shall have full discretion to prohibit the employment for tracking, stalking, tying up for carnivora, or conducting drives or beats, of any persons other than those to whom permits to act as «shikaris» have been given by him.

20. Shikar cards to be filled in.—The licensee shall fill in the shikar card in the printed form which a forest guard may present to him, while he is found hunting or shooting in any forest.

#### CHAPTER IV

##### Pasturing of cattle in reserved and protected forests

«Sections 26 (1) (d), 26 (2) (a), 32 (i) and 76 (d)»

21. Pasturing of cattle in forest prohibited in areas specially notified for the purpose.—No person shall pasture or allow pasturing of cattle in the Government forests specially notified in the Government Gazette as prohibited areas.

#### CHAPTER V

##### Transit of forest produce

«Section 41»

##### A. Forest Passes

22. Regulation of transit of forest-produce by means of passes.—No forest produce shall be moved into, or from, or within the Territory of Goa, Daman and Diu, except as hereinafter provided, without a pass from some officer or person duly authorised by or under these rules to issue such pass, or otherwise than in accordance with the conditions of such pass

or by any route or to any destination other than the route or destination specified in such pass:

Provided that no pass shall be required for the removal —

(a) except to a bunder, landing place or railway station —

- (i) of any forest-produce which is being removed for private consumption by any person, in exercise of a privilege granted in this behalf by the Government, or of a right recognized under the Act, within the limits of a village;
- (ii) of twigs, leaves, brushwood and grass intended solely for conversion into ash-mannure,

(b) of firewood not exceeding three inches in diameter at the thickest part, grass or leaves, the property of one person or the joint property of two or more persons, which is conveyed in quantities not exceeding one headload once in 24 hours unless it be brought to a bunder, landing place or railway station or to any areas to which the Government may from time to time declare by notification in Government Gazette that this exemption shall not extend, or

(c) of such forest-produce as may be exempted by the Government from the operation of the rules in this Chapter by notification in the Government Gazette.

23. Officers and persons to issue passes. — (1) The following officers and persons shall have power to issue passes under these rules (namely): —

#### Officers

- (a) for forest-produce from land which is not included in a reserved or protected forest and is more than ten miles distant from a reserved or protected forest, the revenue patel, or the police patel of the village if the revenue patel is illiterate, or village accountant, and
- (b) for forest-produce from land other than that described in clause (a), the Conservator of Forests, the Divisional Forest Officer, the sub-Divisional Forest Officer or any other officer including a revenue patel or a police patel or village accountant, authorised in this behalf in writing by the Conservator of Forests, Divisional Forest Officer or Sub-Divisional Forest Officer;

#### Other Persons

- (c) for forest-produce owned by any person, such person or his agent, if so authorised in writing by the Conservator of Forests, or by any Divisional Forest Officer or Sub-Divisional Forest Officer specially empowered in this behalf in writing by the Conservator of Forests; provided that such authorization shall specify the period during which it shall remain in force.
- (2) Any authorization may at any time be cancelled by the officer granting it.

24. Passes what to contain. — (1) Every forest pass issued under rule 23 shall specify: —

- (a) the name of the person to whom such pass is granted;

- (b) the quantity and description of forest-produce covered by it;
- (c) in the case of forest-produce referred to in clause (a) of sub-rule (1) of rule 23, the name of the village and survey number in which it was produced;
- (d) the places from and to which such forest-produce is to be conveyed;
- (e) the route by which such forest-produce is to be conveyed; and
- (f) the period of time for which the pass is to be in force, which shall be calculated as follows: —

The day of issue *plus*, in the case of transport by a motor vehicle, a day for transit to any point up to 80 miles from the village of origin *plus* an additional day for every additional 80 miles or fraction thereof, and, in the case of any other form of transport, a day for transit to any point up to 15 miles from the village of origin *plus* an additional day for every additional 15 miles or fraction thereof.

(2) The colour and form of each pass and the sum to be paid in respect of each book of forest passes will be such as may be prescribed by the Conservator of Forests, with the previous sanction of the Government.

(3) It will be obligatory on the part of the person receiving such passes for the forest produce transported by them, to retain such passes at least for a period of one year from the date of issue of such passes to prove subsequently the bonafides of the forest produce carried by such person.

25. Separate pass for each load. — No forest pass shall ordinarily cover more than one load, whether such load be carried by a person, any animal or in a vehicle. But the Divisional Forest Officer, subject to the control of the Conservator of Forests, may, whenever he deems fit, order that one pass may cover any number of headloads or animal loads not exceeding 50 and any number of cart loads not exceeding 10 for journeys not exceeding 15 miles from and to the same places and undertaken at one and the same time.

26. Pass not to be tampered with. — No alteration shall be made in anything printed or written on any forest pass, except in the matter of route and period and this may only be done by an authorised officer for sufficient reason to be mentioned in the pass.

#### B. Passes Issued by Private Persons

27. Books of blank passes to be supplied to persons authorized to issue them. — (1) When the Conservator of Forests or any duly empowered Divisional Forest Officer authorises any person or the agent of any person under clause (c) of sub-rule (1) of rule 23 to issue forest Passes, he shall furnish such person from time to time with authenticated books of blank passes.

(2) The said person to whom such book is supplied shall pay the sum, if any, fixed under rule 24(2).

(3) No person who has been authorised to issue passes shall issue passes otherwise than in accordance with the conditions of his authorisation.

(4) No such person shall charge any fee for any pass issued.

(5) *Counterfoils of used pass books to be returned*—The counterfoils of all used passes shall be returned to the officer from whom the book of passes was received and no fresh pass-book shall be supplied until the counterfoils of all passes previously used have been so returned.

(6) *Counterfoils to be produced for inspection on demand*—Any person or the agent of any person who has been authorised to issue forest passes under clause (c) of sub-rule (1) of rule 23 shall be bound if called upon by any forest officer to produce for inspection or to give up the counterfoils of all passes which have been issued by such person or agent.

(7) *Procedure on cancellation or expiry of authority to issue passes*:—In the event of any authority given under clause (c) of sub-rule (1) of the rule 23 being at any time cancelled under sub-rule (2) of the said rule or on the expiry of the period specified in such authority, the person whose authority is so cancelled or the person, the period whose authority has so expired, as the case may be shall forthwith return to the officer who gave the authority every unused book of forest passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned, and the said person shall be entitled when he has returned all such unused books or portions thereof and the counterfoils of used passes as aforesaid, to receive a refund of the amount paid by him in respect of every such unused book but no refund shall be allowed in respect of any portion of such book.

(8) *Forest passes issued by private persons when invalid*:—No forest pass issued by any person or by the agent of any person authorised under clause (c) of sub-rule (1) of the rule 23 to issue forest passes shall have any validity,

- (a) if such pass is not prepared on a blank form supplied for this purpose under sub-rule (1) of rule 27 or
- (b) if the same is issued after receipt by such person of an order cancelling the authority to issue such passes, or
- (c) if the same is issued by, such person after the expiry of the period specified in the authority given for the issue of such passes.

#### C. Forest-produce imported otherwise than by sea

28. *Foreign pass*.—All forest produce imported into the Territory of Goa, Daman and Diu otherwise than by sea shall be covered by a foreign pass registered under rule 29 and, in the case of timber exceeding the dimensions mentioned in rule 38 and of scented sandalwood, near a foreign property mark registered under rule 29.

29. *Form, etc. of foreign passes must be registered in Conservator's office*.—Every foreign pass must be in a form which, and must be signed by an official whose designation, have been registered in the office of the Conservator of Forests of Goa, Daman and Diu into which it is sought to import forest-produce thereunder, and every foreign property mark must be of a description which has been registered in the said office.

Provided that, at the request of any State, the forest-produce from such state may be allowed to be imported in the Union Territory of Goa, Daman and Diu.

- (i) if the import of such forest-produce is covered by a foreign pass signed by a contractor or his agent whose specimen signature shall have been registered in the Office of the Divisional Forest Officer in charge of the Division in which the forest-produce is sought to be imported, and
- (ii) if the office stamp of the official of the State, who shall have been authorised by the State to issue books of foreign passes to contractors for the export of forest produce, shall have been affixed to or imprinted on the pass under which the forest-produce is sought to be imported.

30. *Divisional Forest Officer may refuse to register signature*.—In cases under the proviso to rule 29 the Divisional Forest Officer may, for reasons to be recorded in writing, refuse to register the specimen signature of any contractor of his agent.

31. *Imported forest-produce may be conveyed to first depot without a pass under rule 23*.—Any forest produce which is imported otherwise than by sea may be conveyed within the limits of the Union Territory of Goa, Daman and Diu as far as the first depot established under rule 34 without a pass issued under rule 23 if it is covered by a foreign pass registered under rule 29 and if stacked or deposited in any place between such limits and such depot the foreign pass covering the material shall at once be delivered at that depot.

32. *Conservator may direct use of a transit mark for imported timber*.—If the Conservator of Forests shall so direct, no timber exceeding the dimensions mentioned in rule 38 and no scented sandalwood which has been imported as aforesaid shall be moved beyond such first depot, without first having stamped upon it a Government transit mark of such description as the Conservator shall prescribe.

#### D. Saving of recognised privileges

33. *Saving of recognised privileges*.—Nothing in rules 22 to 32 inclusive shall be deemed to require or to have required the possession of a pass in cases where exemptions from such possession for enjoyment of certain privileges recognised by the Government of Goa, Daman and Diu have been granted before the passing of the rules.

#### E. Forest depots

34. *Depots and their purposes*.—The Conservator of Forests may establish at such places as he shall think fit, depots to which forest-produce shall be taken—

- (a) for examination previous to the grant of a pass in respect thereof under these rules; or
- (b) for determining the amount of money if any, payable on account thereof to Government; and for the payment of any money so found to be due; or
- (c) in order that any mark required by law or by these rules to be affixed thereto, may be so affixed.

35. *Situation of depots to be published*.—The Conservator of Forests shall make known from time



to time by notification in the Government Gazette, and locally in such manner as he deems fit, the name and situation of each depot.

36. Depot to be in charge of an officer. — Each depot shall be in charge of an officer appointed by or under the orders of the Conservator of Forests without whose permission no forest produce shall be brought into, stored at, or removed from the depot.

37. Vessels conveying forest produce by river to call at depot on banks. — The person in charge of any vessel which carries forest produce on a river, on the banks of which one or more depots established under these rules are situated, shall call and stop his vessel at every such depot which he has to pass, in order that the forest produce may be examined, if necessary, under the provisions of rule 41 and the person in charge of such vessel shall not proceed with such vessel past any such depot without the permission of the forest officer in charge of such depot.

#### F. Property and transit marks

38. Property and transit marks to be affixed to timber exceeding a certain size. — Except when it is the property of the Government timber exceeding 12 inches in girth at the thickest part and 6 feet in length and scented sandalwood of any dimensions shall not be moved from or within any parts of the Territory of Goa, Daman and Diu unless it bears a distinguishable private property mark of the owner of such timber of a description which has been registered in the office of the Conservator of Forests or of the Divisional Forest Officer, and also if the Conservator so directs unless it bears a Government transit mark of such description as shall from time to time be prescribed in this behalf by the said Conservator.

39. Registration of forms of passes or marks. — The Conservator of Forests or the Divisional Forest Officer shall upon receipt of an application for registration of any form or mark for the purpose of rule 290 or rule 38 enquire into the authenticity of the same, and if he sees no objection, shall on payment by the applicant of such fee as shall from time to time be prescribed by the Government in this behalf, register such form or mark in his office. Every such registration shall hold good for a period of one year only, except in the case of forms and marks of other state Governments, the registration of which shall hold good till they are modified or replaced by new forms or marks.

40. Government marks not to be imitated or effaced. — No person or other than a forest officer whose duty it is to use such marks shall use any property mark for timber identical with, or nearly resembling, any Government transit mark, or any mark with which timber belonging to the Government is marked; and, no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (c) of sub-rule (1) of rule 23 alter or efface any mark on the same.

#### G. Stoppage in transit

41. Forest-produce in transit may be stopped and examined by certain officers. — (1) Forest-produce in transit may be stopped and examined at any place by any forest or police officer if such officer shall

have reasonable grounds for suspecting that any money which is due to the Government in respect thereof has not been paid, or that any forest offence has been or is being committed in respect thereof.

Provided always that no such officer shall vexatiously or unnecessarily delay the transit of any forest produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest-produce, or cause the same to be unloaded, for the purpose of examination.

(2) The person in charge of such forest-produce shall furnish to any such officer all the information which he is able to give regarding the same, and if he is removing the same under a pass shall produce such pass, on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said forest-produce by such officer.

#### H. Obstruction of channels

42. Prohibition of the obstruction of channels or banks of rivers. — No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of forest-produce, or throw grass, brushwood, branches or leaves into any such river, or do any other act which may cause such river to be closed or obstructed.

43. Measures to be taken for removal of obstructions. — (1) Any forest officer not lower in rank than an Assistant Conservator of Forests, may take such measures as he shall at any time deem to be emergently necessary for the prevention or removal of any obstruction of the channel, or of any part of a bank of a river lawfully used for the transit of forest-produce; but any such case which is not emergent shall be reported to the Collector, who may by written notice require the person whose act or negligence has caused or is likely to cause the obstruction, to remove or take steps for preventing the same within a period to be named in such notice, and, if such person fails to comply with such notice, may himself cause such measures to be taken as he shall deem necessary.

(2) The cost reasonably incurred by a forest officer or by the Collector under this rule shall be payable to the Government by the person whose act or negligence has necessitated the same.

#### I. Conversion of timber within ten miles of forests

44. Prohibiting conversion of timber within 10 miles of forest. — (i) Within the limits of any reserved or protected forest in charge of the forest department and within ten miles of such limits, no person shall establish a saw-pit, erect any machinery or other plant for the cutting, converting or fashioning of timber, or manufacture charcoal without the previous sanction in writing of a forest officer not lower in rank than a range forest officer.

When an applicant does not receive within a month a definite reply to his written request for permission to saw private timber under this rule, he may start the work forthwith, provided that this will not absolve him from liability to proceedings if it is found that any timber is the property of the Government.

Explanation. — This rule does not apply to the ordinary operations of domestic carpentry or to the other similar work on a small scale.

(ii) No person shall establish a saw-mill or put up any machinery for conversion of any forest produce within a distance of 25 miles of any forest without the written permission from the Divisional Forest Officer.

**J. Exclusion of local areas from applicability of rules**

45. Local areas to which the rules are not applicable to be published. — The Government may by notification in the Government Gazette exempt from the operation of the rules contained in this Chapter any local area specified in such notification.

**CHAPTER VI**

**Trees in occupied lands**

«Sections 41 and 76»

**A. Preservation, protection and exploitation of reserved and other trees in occupied lands**

46. Mode of application for permission to cut and remove trees or timber. — Every person seeking to obtain permission for cutting or uprooting any trees or removing any timber shall apply in writing to the Divisional Forest Officer. Every such application shall clearly specify the survey numbers, the names of the villages, the name of the taluka and the number and kinds of trees sought to be cut or uprooted or the kind and quantity of the timber sought to be removed from each survey number. In case the survey numbers containing the trees or timber are held by a number of persons, a joint application shall be made by all the occupants; if however one of the occupants applies for permission, the written consent of the remaining occupants to allow the applicant to cut or uproot the trees or remove the timber shall be appended to the application.

47. Enquiries to be made by the Divisional Forest Officer and grant of permission. — On receipt of an application under rule 46 the Divisional Forest Officer shall make enquiry as he deems necessary regarding the title of the applicant to the trees or timber, and on the conclusion of such enquiry he shall, unless there is any reason to the contrary give the permission in writing applied for:

48. Conditions of the permission to be observed by the applicant: — Every applicant shall be bound by the conditions contained in the permission granted under rule 47. Such permission shall specify inter alia the name of the officer to whom the permit is to be shown by the applicant prior to the cutting or uprooting of the trees or removal of the timber and the period within which the trees are to be cut or uprooted or the timber is to be removed.

49. Cutting, etc., to be done after marking: — On receipt of the permission the applicant shall take it to the officer named therein and shall cut or uproot the trees or remove the timber after they have been marked by that officer with such mark as may be prescribed for the purpose by the Conservator of Forests.

50. Transit rules in Chapter V to apply in the matter of removal and conversion. — The rules in Chapter V shall apply in the matter of removal and conversion of the timber referred to in this Chapter.

**B. Conversion of trees other than sandalwood**

51. Mode of application for conversion of timber other than sandalwood. — If the timber obtained from trees other than sandalwood is sought to be converted at a place to which the provisions of rule 44 are applicable, the applicant shall apply in writing for permission to the Range Forest Officer giving him the particulars as to the place, time and quantity of timber sought to be converted and such other particulars as may be required by that officer.

52. Enquiries to be made by the Range Forest Officer and issue of sawing permit. — On receipt of an application under rule 51, the Range Forest Officer shall make such enquiry regarding the timber to be converted and the place where the saw-pit is to be erected and on satisfying himself as to the source and ownership of the timber to be converted and on seeing that it not stolen from the forests he shall issue a sawing permit to the applicant.

53. Conditions to be observed by the applicant. — The applicant on receipt of the sawing permit shall be bound by the conditions contained therein. Such permit shall specify, inter alia, the name of the applicant to whom the permit is given, the place where the saw-pit is to be erected and the period within which the timber is to be converted.

54. Return of sawing permit. — On Expiry of the period entered in the sawing permit issued under rule 52 the applicant shall return the same to the Range Forest Officer.

**CHAPTER VII**

**Drift and stranded timber**

«Section 51»

55. Collection of drift and stranded timber and disposal thereafter. — (1) Any person may collect timber of any of the description set forth in section 45, and, pending the bringing of the same to the proper depot for the reception of drift-timber, may keep the same in his own custody, but he shall report his having done so within twenty-four hours to the nearest Forest Officer.

(2) The Forest Officer in charge of the Range in which the timber has been found shall, pending completion of the proceedings under sections 46 to 48, take possession of the timber and unless in his opinion the probable proceeds of the sale of timber are not likely to exceed the cost incurred on collecting it together with the probable cost of conveying it to a depot appointed for the reception of drift-timber, he shall convey the timber to such depot.

56. Registration of boats for salving and collecting timber. — Any person may register in the office of the Conservator of Forests one or more boats for use in salving and collecting timber on payment of a fee of one rupee for each boat.

Such registration shall hold good for the period of one year only, but may be repeated from year to year.

57. Persons collecting timber entitled to recompense. — Every person, whether Forest Officer or not, who collects any such timber, shall be entitled to receive a recompense equal to 50 per centum of the estimated value of the timber. Such estimate shall be made by any Forest Officer not lower in

rank than an Assistant Conservator of Forests, whom the Conservator specially authorizes, in this behalf and the recompense shall be paid at once by the Government.

Provided that in special cases the Conservator may increase the amount of the recompense to a sum not exceeding 75 per centum of the value of the timber collected.

58. When collected timber belongs to private person such person to pay all costs. — If the timber collected shall be proved to be the property of any person other than the Government, such person shall be liable to pay to the Government under section 50 of the Act the following amounts, viz: —

(1) on account of salving and collecting, the actual amount of recompense paid to the person who collected it;

(2) on account of moving, the actual cost incurred in moving it to the depot for the reception of drift timber;

(3) on account of storing, such fees as shall from time to time be fixed by the Conservator of Forests, with the previous sanction of the Government for the storing of timber at such depot.

59. No person other than authorised Forest Officer to mark timber. — No person other than a Forest Officer authorized in this behalf by the Conservator of Forest shall mark any timber to which the rules in this Chapter apply.

#### CHAPTER VIII

Powers and duties of forest officers and revenue officers  
«Section 76 (a)»

60. Conservator, his powers and duties. — The Conservator of Forests is the head of the Forest Department and the technical adviser of the Government in forest matters. He is empowered to deal on his own authority with purely technical question, such as the operation of sanctioned working plans, fire protection and silvicultural operations generally, and with matters regarding which powers have been delegated to him. In regard to all purely technical matters he will be the controlling authority over the D. F. Os. and in regard to the other matters he shall be in the position of advised, being consulted by the Government as the case may be.

61. Powers of Divisional Forest Officer regarding local supply, public right, pastures, etc. — In all matters relating to supply of forest produce including grass for the domestic and agricultural requirements of the villagers, grazing and the rights and privileges of the people in or in respect of forest, orders shall be issued by the Divisional Forest Officer.

62. Orders of forest-officers to village officers to be ordinarily sent through Mamlatdar. — Orders by forest officers to village officers shall ordinarily be sent through the Mamlatdar to whom the village officers are subordinate but may, if urgent, be sent direct: provided that in the latter case a copy of the order shall at the same time be sent to such Mamlatdar as aforesaid.

63. Forest guards not to leave beat for report to revenue or police officer. — No revenue or police officer shall call a forest guard of his beat, nor

shall a forest guard leave his beat in order to report himself to such officer.

64. Action to be taken when felling of a compartment is delayed beyond due time. — (1) If it becomes necessary to delay the felling of a compartment beyond the time at which such felling would, according to regular rotation, be due, the Divisional Forest Officer shall, subject to the orders of the Conservator as regards deviations from sanctioned working plans make arrangements for meeting the requirements of villagers in the locality.

(2) For such purpose the villagers may, if necessary, and if no other arrangement is practicable, be permitted to enter the compartment the felling whereof has been so delayed and for themselves, under the supervision of a forest subordinate appointed for purpose by the Divisional Forest Officer, the material to which, but for such delay they would have been entitled.

#### CHAPTER IX

##### Contracts

«Sections 76 (d) and 85»

65. Persons entering into contract with forest officers should execute written instrument to perform contract and to pay expenses in case of breach. — Whoever enters into any contract with any Forest officer acting on behalf of the Lieutenant Governor of Goa, Daman and Diu, shall, if so required by such Forest-officer, bind himself by a written instrument to perform such contract and to pay to such Forest-officer on behalf of the Lieutenant Governor of Goa, Daman and Diu the expenses necessary for or incurred in the execution of any work or thing to be done which he has bound himself but has failed to do.

Explanation. — A person, who makes a written tender for a contract, or who signs the conditions of an auction sale at which he is a bidder, such tender or conditions of sale being on or in a form furnished by a Forest-officer for that purpose, whereby he —

(a) binds himself to perform the contract for which he tenders or bids, in event of his tender or bid being accepted, or

(b) binds himself not to withdraw his tender or bid during the time that may lapse before its acceptance or refusal is communicated to him, shall be deemed to have been required by such Forest-officer to bind himself as aforesaid, and in case (a) on the acceptance of his tender or bid, or in case (b) on the making of his tender or bid, to have bound himself accordingly, within the meaning of this rule; and any such person need not enter into a separate written instrument for the purpose, unless specially so required by the Forest-officer with whom he contracts.

#### CHAPTER X

##### Penalties and rewards

«Sections 42, 51 and 76 (b)»

\*\*66. Penalties for breach of certain rules. — Whoever contravenes the provisions of rules 22, 26, 27(3) to (7), 28, 31, 32, 36 to 38, 40, 41(2), 42, 44, 51, 53 to 55 or 59 shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

67. As per powers vested in the Government under Section 76(b) the following provisions are made to regulate rewards to be paid to officers and informants out of proceeds of fines and confiscations.

(a) The officer whose efficiency led to the detection of offence and booking of the culprits, the discretion in deciding which vests with the Conservator of Forests, will be entitled as reward to 1/3rd the proceeds which accrued to the Government in the form of fines and confiscations.

(b) The informant, whose information led to the detection of offence and booking of culprits, the discretion in deciding which vests with the Conservator of Forests will be entitled as reward to 1/3rd the proceeds which accrued to Government in the form of fines and confiscations.

(c) The Conservator of Forests is authorised to grant and disburse such rewards.

\*\* Rule 66 prescribed penalties for breach of only those rules for which the Government can prescribe penalties under sections 42 and 51 of the Act. Penalties for breach of other rules are prescribed in the relevant sections of the Act itself, viz. in section 26(1) for breach of rules framed with reference to section 26(1) (b) and (i) for reserved forests, in section 33(1) (h) for breach of rules made under section 32 for protected forest, and in section 77 for breach of other rules for which no special penalty is provided. For voluntary obstruction to the officer acting under rule 92(2) the penalty will be that prescribed in section 186 of the Indian Penal Code.

#### Notification

L. D. 14/65

The following Notification of Ministry of Home Affairs, New Delhi is hereby published for general information of public.

*Kant Desai*, Under Secretary.

Panjim, 15th March, 1965.

#### GOVERNMENT OF INDIA

#### MINISTRY OF HOME AFFAIRS

*New Delhi-11, the 9th March, 1965*

#### Notification

F.7/10/65-UTL

G. S. R. — In exercise of the powers conferred by Section 6 of the Goa, Daman and Diu (Administration) Act, 1962 (1 of 1962) the Central Government hereby extend to the Union Territory of Goa, Daman and Diu, the Transfer of Prisoners Act, 1950 (29 of 1950).

K. R. PRABHU

Deputy Secretary to the Government of India.

#### Industries and Labour Department

#### Notification

I&L/CEE/902/65/2350

#### Rules for the Levy of Fees for the Services of Electrical Inspector

In exercise of the powers conferred by Sub-Rule (2) of Rules (7) of the Indian Electricity Rules,

1956, and in supersession of the decreto nos. 27.071 and 2052 of the Erstwhile Portuguese Government, the Government of Goa, Daman and Diu hereby orders that with immediate effect fees for testing and inspection and generally for the services of Electrical Inspector under the Indian Electricity Act, 1910 (Act IX of 1910) shall be levied in accordance with the following Rules, namely:

#### Levy of fees for the Services of Electrical Inspector

1. *Definition*. — In these Rules «Owner» includes an occupier of any building, place, carriage or vessel, electric supply line, electric machine or apparatus in which energy is or is about to be generated, received or used.

2. *Levy of Fees*. — (1) Fees for periodical inspections, examinations or tests made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder, shall be levied in accordance with the rates prescribed and from the persons mentioned in scales «A» to «C» in the schedule hereto.

Provided that in the case of a second or subsequent inspection, examination, or test made within a period of twelve months from the date of the first inspection, examination or test: —

- (a) One half of the fees prescribed in the said scales «A» to «C» shall be levied if in opinion of the Electrical Inspector, the second or subsequent inspection, examination or test is necessitated by the neglect or failure of the licensee or owner to carry out within a stipulated time any written order of the provisions of the Indian Electricity Act, 1910, or the Rules made thereunder, and
- (b) No fees shall be levied if the second or subsequent inspection or test is not so necessitated.

(2) Fees for initial inspections, examinations or tests of an installation made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder shall be levied in accordance with and from the persons mentioned in scales (D to F) and as specifically provided in scale «C» in schedule hereto.

Provided that, if in the opinion of the Electrical Inspector, a second or subsequent inspection, examination or test of the installation is necessitated by the neglect or failure of the Supplier or the Owner as the case may be, to carry out within a stipulated time any written order of the Inspector or by a breach of any provisions of the Indian Electricity Act, 1910, or the Rules thereunder the fee for such a second and subsequent inspection, examination or test shall be one half of the fee prescribed in the said scales «D» to «F».

Provided further that if an extension to or an alteration in the installation made since the date of last initial or periodical inspection, examination or test of the installation, is inspected, examined or tested within 12 months of that date, a separate fee shall be levied in respect of such extension or alteration in accordance with the rates prescribed and from the persons mentioned in the said scales «A» to «C».

(3) Fees for the services of an Electrical Inspector requisitioned by a consumer or by a member of the public shall be levied in accordance with and from



the persons mentioned in scales «G» to «Q» in the schedule hereto.

3. *Payment of fees.* — The fees payable under these Rules may be paid prior to, or at the time of inspection, examination or test into a Government Treasury or the State Bank of India to the credit of the Electrical Inspector to Government under the Budget Head: «Major Head XIII Other Taxes and Duties. Minor Head «B» Receipts from Electricity Duties. Fees under the Indian Electricity Rules 1956. Fees for Electrical Inspection of Cinemas and Other Receipts. By Challan and original of the same forwarded to the Electrical Inspector to the Government of Goa, Daman and Diu.

If for any reason, the fee is not paid either prior to or at the time of inspection, examination or test, such fee shall be paid within 10 days from the date of such inspection, examination or test.

#### SCHEDULE

##### SCALE 'A'

1. For an inspection, examination or test made in pursuance of Rules 50 to 73 of the Indian Electricity Rules, 1956, where energy is or is about to be supplied or used at high or medium voltage except in those cases to which scales 'B' to 'Q' of this schedule specifically refer.

Capacity	Amount
Up to and including 5 KW.	Rs. 5-00
Exceeding 5 KW. but not exceeding 10 KW. ....	Rs. 7-50
Exceeding 10 KW. but not exceeding 20 KW. ....	Rs. 10-00
Exceeding 20 KW. but not exceeding 50 KW. ....	Rs. 20-00
Exceeding 50 KW. but not exceeding 100 KW. ....	Rs. 30-00
Exceeding 100 KW. but not exceeding 500 KW. ....	Rs. 30-00
For the first 100 KW. plus Rs. 15/- for every 50 KW. or part thereof in excess of 100 KW. provided that if the part does not exceed 5, 10 or 20 KW. Rs. 5/-, Rs. 7-50, or Rs. 10/- shall be charged for such excess.	
Exceeding 500 KW. but not exceeding 1500 KW.	Rs. 150/-
For the first 500 KW. plus Rs. 10/- for every 50 KW. or part thereof in excess of 500 KW.	
Exceeding 1500 KW. but not exceeding .....	Rs. 350/-

2. The fee shall be paid by the owner to whom energy is or is about to be supplied.

##### SCALE 'B'

1. For an inspection, examination or test of any generating station, receiving station or other place in which energy is generated, received or distributed at a voltage of 100 volts or more.

Capacity	Amount
i) Domestic lighting sets in residential premises up to and including 10 KW. ....	Rs. 10/-
ii) For cases other than mentioned in item (i) about up to and including 25 KW. ....	Rs. 25/-
Exceeding 25 KW. but not exceeding 50 KW. ....	Rs. 50/-
Exceeding 50 KW. but not exceeding 100 KW. ....	Rs. 75/-
Exceeding 100 KW. but not exceeding 250 KW. ....	Rs. 125/-
Exceeding 250 KW. but not exceeding 500 KW. ....	Rs. 175/-
Exceeding 500 KW. but not exceeding 750 KW. ....	Rs. 225/-
Exceeding 750 KW. but not exceeding 1000 KW. ....	Rs. 275/-
Exceeding 1000 KW. but not exceeding .....	Rs. 300/-

In case of generating station or other place in which energy is generated the fee shall be paid by the licensee or the person generating energy. In case of a receiving station the fee shall be paid by the owner.

##### SCALE 'C'

1. For an inspection, examination or test of any electric installation, appliance or apparatus (other than a generating station for which a separate fee will be charged under scale 'B') in a factory within the meaning of the Factories Act, 1948 (LXIII of 1948) to which energy is supplied by the licensee or in which energy is generated.

- For power ..... Fee as per scale 'A' be applied.
- For lighting or for purposes other than power (provided that no fee under this item shall be charged in respect of an electric installation, appliance or apparatus in any factory where not more than 20 workers are employed.) Rs. 10/- per KW. or part there subject to a maximum of Rs. 100/-.

Note: In any factory to which energy is supplied by a licensee or in which energy is generated both for lighting and for power separated fee under Clauses (i) and (ii) should be charged provided the combined fee shall not exceed Rs. 450/-.

2. The fee shall be paid by the owner.  
In scales 'A' to 'C' KVA will be read as KW wherever the machines are rated in KVA.

##### SCALE 'D'

1. For an inspection or examination in pursuance of Rules 29 to 31 and 92 of the Indian Electricity Rules, 1956: —

- Of a new medium or high voltage service line ..... Rs. 10/-.
- Of an existing medium or high voltage service line ..... Rs. 5/-.

2. The fee shall be paid by the licensee or the supplier.

##### SCALE 'E'

1. For an inspection or examination of every new aerial line including a service line crossing either above or below a telegraph, telephone or other aerial line at one or more spans, places and points in pursuance of Rule 87 of the Indian Electricity Rules, 1956 ..... Rs. 10/-.

Provided that where more than one crossing situated within a distance of half a mile of each other are inspected at the same time, the fee shall be as follows: —

- For inspection of first crossing ..... Rs. 10/-.
- For inspection of every additional crossings ..... Rs. 5/-.

2. The fee leviable under this scale shall not be charged when the inspection has been carried out in conjunction with an inspection for which a fee is levied under scale 'D' or 'F'.

3. The fee shall be paid by the person whose line was last erected.

##### SCALE 'F'

1. The fees for an inspection or examination of an aerial line or underground cable in pursuance of Rules 39, 66, 77, 80 and 85 of the Indian Electricity Rule, 1956:

- For an inspection or examination of a new high voltage or extra-high voltage line or cable. A minimum charge of Rs. 100/- for a distance up to 10 miles and beyond this distance Rs. for every mile or part thereof.
- For an inspection, examination or test of a medium or low voltage aerial distributing main or cable. Rs. 10/- per mile or part thereof subject to maximum of Rs. 100/-.

2. The fee shall be paid by the licensee or the owner.

##### SCALE 'G'

1. For an inspection and for issue of a certificate under Rule 82 of the Indian Electricity Rules, 1956 ..... Rs. 15/-

2. The fee shall be paid by the person who proposes either to erect a new building or structure or to make any temporary addition or alteration in or upon any building or structure.

## SCALE 'H'

(In pursuance of Rules 99 to 107 both inclusive)

1. For inspection or examination of any electric traction system, including trolley wires and overhead equipment and test of bonding and leakage currents. Rs. 100/- per day or part thereof.

2. The fee shall be paid the licensee or the owner of the electric traction system as the case may be.

## SCALE 'J'

1. For testing energy meter.

(a) For testing a single meter of any description in the Laboratory:

(i) Up to a capacity of 50 Amps. ....	Rs. 10/-
(ii) Of a capacity exceeding 50 Amps. but not exceeding 200 Amps. ....	Rs. 15/-
(iii) Of a capacity exceeding 200 Amps. but not exceeding 300 Amps. ....	Rs. 20/-
(iv) Of a capacity exceeding 300 Amps. but not exceeding 500 Amps. ....	Rs. 25/-

(b) If a meter is to be tested on the consumers premises, the fee prescribed in Clause (a) shall be increased by Rs. 5/- ..... per meter

2. The fee shall be paid by the person or persons or agency or firm or any other body at whose request the test is conducted or by the owner.

## SCALE 'K'

1. For an inspection and examination or test of voltage within the consumer's premises at the request of the consumer or the licensee and issue of a certificate:

(a) Low voltage .....	Rs. 15/-
(b) Medium .....	Rs. 20/-
(c) High voltage .....	Rs. 50/-

2. For an inspection and examination or test of voltage and recording the voltage for a duration of 24 hours as above. Rs. 15/- in addition to the amounts charged for each item above.

3. The fee shall be paid by the consumer in the first instance but the Electrical Inspector shall decide as to who should pay the fees when referred as a dispute between the consumer and the supplier.

## SCALE 'L'

1. For an inspection, examination or test of any main or distribution main, or service line for the existence of leakage therein which may result in electrolysis or other injury to any water, gas or other pipe or to any appliance connected with. Rs. 30/- for the first hour and thereafter Rs. 15/- per hour and part thereof.

2. If any leakage is discovered in any such main, distributing main or service line, the fee shall be paid by the licensee or the owner of the main or service line as the case may be.

If no leakage is discovered, the fee shall be paid by the owner of the water, gas or other pipe or of the appliance connected therewith.

## SCALE 'M'

1. For testing of an installation for the existence of leakage to earth ..... Rs. 10/-

2. The fee shall be paid by the party making application.

## SCALE 'N'

1. For localising of leakage to earth in any installation. Rs. 10/- for the first hour or part thereof and thereafter Rs. 5/- per hour or part thereof.

2. The fee shall be paid by the party making the application.

## SCALE 'P'

For deciding any case of difference or dispute arising under Section 21(4), 26(4), 26(6) or Clause b(3) of the Schedule to the Indian Electricity Act, 1910 referred to Electrical Inspector. Rs. 10/-

Provided that in the case of a difference or dispute referred to the Electrical Inspector, for being decided under Section 26(6) of the said Act an additional fee for the testing of a meter in accordance with Scale 'J' be recoverable.

## SCALE 'Q'

For testing of earth resistance and inspecting of earthing arrangements of an electrical installation or lighting conductor installation:

(a) For low voltage installation .....	Rs. 10/-
(b) For medium voltage installation .....	Rs. 15/-
(c) For high voltage installation .....	Rs. 25/-
(d) For lighting conductor installation .....	Rs. 25/-

By order and in the name of the Administrator of Goa, Daman and Diu.

B. K. Chougule, Secretary, Industries and Labour Department.